

06-23-04

204,651

1731

164

#13 1/2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Focke et al. Examiner: C. Fiorilla

Application Number: 09/598,995 Group Art Unit: 1731

Filing Date: June 21, 2000

Title: PROCESS AND APPARATUS FOR PRODUCING  
AND/OR PACKAGING CIGARETTES

RECEIVED

JUN 29 2004

TC 1700

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. SECTION 1.10

This correspondence is being deposited with the United States Postal Service on June 21, 2004 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number ET 537 590 560 US addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

STATUS REQUEST REGARDING:  
PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Attention: Patent Technology Center 1700  
Group Art Unit: 1731  
Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

A Petition to Withdraw the Holding of Abandonment was filed on February 18, 2004 in the above-identified application. A copy of the Petition is enclosed.

Also enclosed is a copy of the stamped return receipt postcard indicating receipt by the U.S. Patent and Trademark Office of this Petition to Withdraw Abandonment.

However, a call to Examiner Fiorilla on June 21, 2004 indicates that the Petition to Withdraw Abandonment has not been processed, since the U.S. Patent and Trademark Office records indicate that the above-identified application remains abandoned.

Please provide the status of the Petition to Withdraw Abandonment, and withdrawal of the abandonment and allowance of the present application are respectfully requested.

Respectfully submitted,

Anthony J. Natoli  
Registration number 36,223  
Attorney for Applicants

Date: June 21, 2004

ABELMAN, FRAYNE & SCHWAB  
150 East 42<sup>nd</sup> Street  
New York, NY 10017-5612  
(212) 949-9022



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TC 1700

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MAR - 2 2004

ABELMAN, FRAYNE & SCHWAB

**Hon. Commissioner of Patents  
and Trademarks**

**Date Stamp as acknowledgement of receipt of:**

Applicants: Focke et al.  
Application Number: 09/598,995  
Filing Date: June 21, 2000  
Group Art Unit: 1731  
Examiner: C. Fiorilla  
Docket Number: 204,651  
Certificate of Mailing Dated: February 18, 2004

To the U.S. Patent and Trademark Office:

Please date stamp and return this postcard  
to acknowledge receipt of the following:

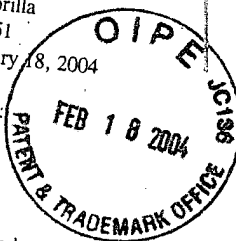
1. Petition to Withdraw Holding of Abandonment  
of Application, including:
  - a. Statement of Facts regarding Non-Receipt  
of Notice of Allowance;
  - b. Copy of Previous Office Action Cover Sheet  
with Correct Addressee
  - c. Copy of Faxed Notice of Allowance and Related  
Documents with Incorrect Addressee;
  - d. Copy of Notice of Abandonment with  
Incorrect Addressee;
  - e. Copy of File Jacket and Docket Records
2. Correction of Correspondence Address

Abelman, Frayne & Schwab  
AJN

Mailed:

Express Mail Number:

February 18, 2004  
ET 537 601 554 US





Hon. Commissioner of Patents  
and Trademarks

Date Stamp as acknowledgement of receipt of:

Applicants: Focke et al.  
Application Number: 09/598,995  
Filing Date: June 21, 2000  
Group Art Unit: 1731  
Examiner: C. Fiorilla  
Docket Number: 204,651  
Certificate of Mailing Dated: February 18, 2004

To the U.S. Patent and Trademark Office:

Please date stamp and return this postcard  
to acknowledge receipt of the following:

1. Petition to Withdraw Holding of Abandonment  
of Application, including:
  - a. Statement of Facts regarding Non-Receipt  
of Notice of Allowance;
  - b. Copy of Previous Office Action Cover Sheet  
with Correct Addressee
  - c. Copy of Faxed Notice of Allowance and Related  
Documents with Incorrect Addressee;
  - d. Copy of Notice of Abandonment with  
Incorrect Addressee;
  - e. Copy of File Jacket and Docket Records
2. Correction of Correspondence Address

Abelman, Frayne & Schwab  
AJN

Mailed: February 18, 2004  
Express Mail Number: ET 537 601 554 US

RECEIVED  
JUN 29 2004  
TC 1700



**ABELMAN FRAYNE & SCHWAB**  
ATTORNEYS AT LAW  
150 EAST 42nd STREET  
NEW YORK, NY 10017



204,651

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Focke et al. Examiner: C. Fiorilla

Application Number: 09/598,995 Group Art Unit: 1731

Filing Date: June 21, 2000

RECEIVED

Title: PROCESS AND APPARATUS FOR PRODUCING  
AND/OR PACKAGING CIGARETTES

JUN 29 2004

TC 1700

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. SECTION 1.10

This correspondence is being deposited with the United States Postal Service on February 18, 2004 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number ET 537 601 554 US addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CORRECTION OF CORRESPONDENCE  
ADDRESS OF ATTORNEYS OF RECORD

Please send all correspondence and direct all communications in the above-identified application to the following address and telephone and fax numbers:

ABELMAN, FRAYNE & SCHWAB  
150 East 42nd Street  
New York, NY 10017-5612

Telephone: 212-949-9022  
Facsimile: 212-949-9190

Respectfully submitted,

Date: February 18, 2004

Anthony J. Natoli  
Registration number 36,223  
Attorney for Applicants

ABELMAN, FRAYNE & SCHWAB  
150 East 42<sup>nd</sup> Street  
New York, NY 10017-5612  
(212) 949-9022

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Focke et al.

Examiner: C. Fiorilla

Application Number: 09/598,995

Group Art Unit: 1731

Filing Date: June 21, 2000

Title: PROCESS AND APPARATUS FOR PRODUCING  
AND/OR PACKAGING CIGARETTES**RECEIVED**  
**JUN 29 2004**  
**TC 1700**STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. SECTION 1.10

This correspondence is being deposited with the United States Postal Service on February 18, 2004 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number ET 537 601 554 US addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED  
ON FAILURE TO RECEIVE ORIGINAL NOTICE OF ALLOWANCE  
AND ISSUE FEE(S) DUE, PURSUANT TO MPEP § 711.03(c)(II)**

Attention: Patent Technology Center 1700  
Group Art Unit: 1731  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application was held abandoned for failure to file a timely and proper reply to a notice or action by the U.S. Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set to reply in the Office notice or action plus any extensions of time actually obtained. The abandonment was due solely to the error of the USPTO in mailing the NOTICE OF ALLOWANCE AND FEE(S) DUE to the wrong addressee, preventing the timely filing of the issue fee by the attorneys of record.

**APPLICANT HEREBY PETITIONS FOR WITHDRAWAL  
OF THE HOLDING OF ABANDONMENT**

I. The above-identified application was held abandoned in a NOTICE OF ABANDONMENT mailed with an Office Communication dated September 23, 2002, stating that the abandonment was due to applicant's alleged failure to pay the issue fee.

II. The facts surrounding the non-payment of the issue fee are set forth in the Statement of Facts, submitted herewith as an appendix, explaining the failure of the USPTO to mail the original NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE to the proper address of the below named attorneys of record.

III. The mailing of an original NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE is respectfully requested.

IV. No fee is believed to be due in connection with the present Petition to Withdraw Holding of Abandonment. However, if any fee(s) are due, the Commissioner is hereby authorized to charge such deficiencies in fees and to credit any overpayments to Deposit Account Number 01-0035.

V. Appropriate adjustment of the patent term under 35 USC § 154(b) is respectfully requested due to the error of the USPTO.

Respectfully submitted,



Anthony J. Natoli  
Registration number 36,223  
Attorney for Applicants

Date: February 18, 2004

ABELMAN, FRAYNE & SCHWAB  
150 East 42<sup>nd</sup> Street  
New York, NY 10017-5612  
(212) 949-9022

STATEMENT OF FACTS RELATING TO  
THE NON-PAYMENT OF THE ISSUE FEE

1. The undersigned and/or the firm of ABELMAN, FRAYNE & SCHWAB never received the original Notice of Allowance and Issue Fee Transmittal, each dated May 15, 2002, because they were mailed to the wrong addressee. The undersigned attorneys only received faxed copies of the aforesaid documents, dated May 15, 2002, well after the August 15, 2002 due date to submit the reply and well after receipt of a Notice of Abandonment dated September 23, 2002 in the above-identified application.

2. In fact, the receipt of the faxed copies (attached) of the May 15, 2002 documents only occurred after the below-named attorneys of record contacted the examiner by telephone after receipt of the Notice of Abandonment.

3. The original NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE, dated May 15, 2002, was not received by the attorneys of record, due to the error of the USPTO in causing an unauthorized change in correspondence address of the above-identified application in the records of the USPTO, from:

ABELMAN FRAYNE & SCHWAB  
150 East 42nd Street  
New York, NY 10017-5612

(see office action, paper number 8, dated January 2, 2002 (copy of cover sheet enclosed))  
to:

ANTHONY J. NATOLI  
150 East 42nd Street  
New York, NY 10017-5612

(see Determination of Patent Term Adjustment, dated May 15, 2002; Issue Fee Transmittal dated May 15, 2002; and Notice of Allowance, paper number 11, dated May 15, 2002 (copies enclosed));

(see also the cover sheet of the Notice of Abandonment, paper number 12, dated September 23, 2002 (copies enclosed)).

4. The undersigned and/or ABELMAN, FRAYNE & SCHWAB never submitted any change of correspondence address, and so the above-recited change in correspondence address, completely dropping the name "ABELMAN FRAYNE & SCHWAB" from all correspondence in the above-identified application, was unauthorized, was unintended, and was the fault of the U.S. Patent and Trademark Office, thereby causing prejudicial interference with the prosecution of the above-identified application.

5. Copies of the file jacket and docket records are attached, indicating that the file jacket and docket records have been searched, but no NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE has been received by the attorneys of record.

6. To our knowledge, the aforesaid documents dated May 15, 2002 were never received at the address of the attorneys of record.

7. To date, the original NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE has not been received by the attorneys of record. Accordingly, it is respectfully requested that the holding of abandonment be withdrawn and that an original NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE be mailed to the attorneys of record at the correct correspondence address:

ABELMAN FRAYNE & SCHWAB  
150 East 42nd Street  
New York, NY 10017-5612

Respectfully submitted,



Anthony J. Natoli  
Registration number 36,223  
Attorney for Applicants

Date: February 18, 2004

ABELMAN, FRAYNE & SCHWAB  
150 East 42<sup>nd</sup> Street  
New York, NY 10017-5612  
(212) 949-9022





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20531  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,995	06/21/2000	Heinz Focke	204,651	6376

7590

05/15/2002

ANTHONY J. NATOLI  
150 East 42nd Street  
New York, NY 10017-5612

EXAMINER

\* FIORILLA, CHRISTOPHER A

ART UNIT

PAPER NUMBER

1731

DATE MAILED: 05/15/2002

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JUN 29 2004

TC 1700

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY-DOCKET NO.	CONFIRMATION NO.
09698,995	06/21/2000	Heinz Focke	204,651	6376

7590 01/02/2002  
Abelman Frayne & Schwab  
150 East 42nd Street  
New York, NY 10017-5612

DUE BY REG 4/2/02

DOCKETED ON 1/9/02

DOCKETED WITHOUT FILE \_\_\_\_\_

ATTORNEY JSC

Please find below and/or attached an Office communication concerning this application or proceeding.

EXAMINER	
FIORILLA, CHRISTOPHER A	
ART UNIT	PAPER NUMBER

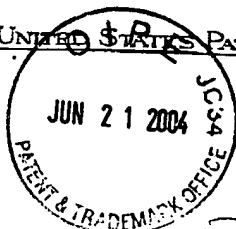
1731  
DATE MAILED: 01/02/2002

RECEIVED  
JAN - 11 2002

ABELMAN, FRAYNE & SCHWAB



## UNITED STATES PATENT AND TRADEMARK OFFICE


 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 WASHINGTON, D.C. 20531  
 www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

 7590  
 ANTHONY J. NATOLI  
 150 East 42nd Street  
 New York, NY 10017-5612

05/15/2002

EXAMINER

FIORILLA, CHRISTOPHER A

ART UNIT

CLASS-SUBCLASS

1731

131-096000

DATE MAILED: 05/15/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,995	06/21/2000	Heinz Focke	204,651	6376

TITLE OF INVENTION: APPARATUS FOR PRODUCING AND/OR PACKAGING CIGARETTES

RECEIVED

JUN 29 2004

TC 1700

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	08/15/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

JUN 21 2004

## PART B - FEE(S) TRANSMITTAL

RECEIVED

JUN 29 2004

TC 1700

Complete and send this form, together with applicable fee(s), to: **Mail** Box ISSUE FEE  
**Commissioner for Patents**  
**Washington, D.C. 20231**  
**Fax** (703)746-4000

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Now, possibly mark-up with any corrections or use Block 1)  
 7590 05/15/2002

ANTHONY J. NATOLI  
 150 East 42nd Street  
 New York, NY 10017-5612

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)  
 (Signature)  
 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,995	06/21/2000	Heinz Focke	204,651	6376

TITLE OF INVENTION: APPARATUS FOR PRODUCING AND/OR PACKAGING CIGARETTES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	08/15/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
FIORILLA, CHRISTOPHER A	1731	131-096000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent)

☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee  
☐ Publication Fee  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (REV. 04-02) Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/598,995	06/21/2000	Heinz Focke	204,651	6376

7590

09/23/2002

ANTHONY J. NATOLI  
150 East 42nd Street  
New York, NY 10017-5612

EXAMINER

FIORILLA, CHRISTOPHER A

ART UNIT

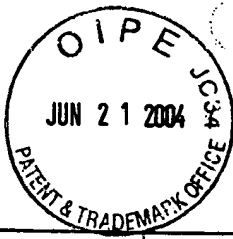
PAPER NUMBER

1731

DATE MAILED: 09/23/2002

PH12

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER 0751072	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER PT 16
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DATE MAILED:

**RECEIVED**

**JUN 29 2004**

**TC 1700**

**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_.
- ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).

- ☐ No response has been received.
- ☒ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

- ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.
- ☒ The issue fee has not been received.

- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
- ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- ☐ No proposed new formal drawings have been received.

- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.

- ☐ The reason(s) below:

**ABANDONMENT  
CONTACT PERSON IS:  
TOM HAWKINS  
305-8380**

OPER ES ENTERED 06/19/2000 MODIFIED 12/30/2002 ATTORNEYS AJN / JSC / ES PRINTED ON: 12/30/2002  
 AF&S# 204,651 CNTRY US UNITED STATES NEW/CON NEW RELATED  
 PATS# P03275US0 TYPE UTL SERIAL# 09/598,995 PATENT# STAT ABANDONED  
 TITLE PROCESS AND APPARATUS FOR PRODUCING AND/OR PACKAGING CIGARETTES DKT  
 CLIENT C465950 Meissner, Bolte & Partner 1 CREF FOC-632-US SE No RCS#  
 AGENT US01 COMMISSIONER FOR PATENTS AREF CLAIMS ART  
 PRIOR 06/21/1999 - MAIL FILE 06/21/2000 PUBL ISSUE ABN y 10/02/2002 1ST 06/21/2000

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
PC	N	POST CARD CHECK	06/21/2000	1 M	07/21/2000		07/21/2000	0	06/30/2000	0 M	N	N	Y
LF	N	LTR RE: FILING RPT	06/21/2000	35 D	07/26/2000	0	07/26/2000	0	07/20/2000	0 M	N	N	N
DS	N	INF DISCLOSURE STMT	06/21/2000	3 M	09/21/2000	0	09/21/2000	0	08/03/2000	3 M	Y	Y	N
FS	N	FILG RCPT STATUS CHK	06/21/2000	3 M	09/21/2000		09/21/2000	0	09/25/2000	0 M	N	N	N
NF	N	NOTIFY CLT FLNG RCPT	06/21/2000	4 M	10/21/2000	0	10/21/2000	0	12/11/2000	0 M	N	N	N
LA	N	LTR RE: RECORD ASGMT	06/21/2000	7 m	01/21/2001	0	01/21/2001	0	11/08/2000	0 m	N	N	N
RR	N	RESTRICTION REQUIRE	08/29/2001	1 M	09/29/2001	5 1	02/28/2002	1	10/11/2001	1 M	N	Y	N
RE	N	RESPONSE TO OA	01/02/2002	3 M	04/02/2002	3 1	07/02/2002	2	05/01/2002	3 M	Y	Y	N
ID	N	IDS W/ PTO-1449	02/15/2003	0 M	02/15/2003		02/15/2003	0		0 M	Y	Y	N

#### INVENTORS

#### ASSIGNEES

Focke, Heinz  
 Stiller, Martin

Focke & Co. (GmbH & Co.)

#### PRIOR APPLICATIONS

REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTION	TYPE
	DE	19928360.5	06/21/1999	PRIORITY	APPL

#### NOTES

ASSIGN. RECORDED: JUNE 21, 2000; REEL/FRAME: 010900/0994. ABANDONED NEVER RECEIVED NOTICE OF ALLOWANCE FROM USPTO.

List Of Actions

Action(s) Due	Due Date		Action Taken
INF DISCLOSURE STMT - DOCKET	21-Jun-2000	Reminder	03-Aug-2000
POST CARD CHECK	21-Jul-2000	Due Date	30-Jun-2000
LTR RE: FILING RPT	26-Jul-2000	Due Date	20-Jul-2000
FILE RCPT STATUS CHK	21-Sep-2000	Due Date	25-Sep-2000
INF DISCLOSURE STMT	21-Sep-2000	Due Date	03-Aug-2000
Information Disclosure Stmtnt	21-Sep-2000	Due Date	
NOTIFY CLT FLNG RCPT	21-Oct-2000	Due Date	11-Dec-2000
LTR RE: RECORD ASGMT	21-Jan-2001	Due Date	08-Nov-2000
RESTRICTION REQUIRE	29-Sep-2001	Due Date	11-Oct-2001
RESTRICTION REQUIRE - XDocket	29-Oct-2001	Reminder	11-Oct-2001
RESTRICTION REQUIRE - FINAL	28-Feb-2002	Final	11-Oct-2001
RESPONSE TO OA - DOCKET	02-Mar-2002	Reminder	01-May-2002
RESPONSE TO OA	02-Apr-2002	Due Date	01-May-2002
RESPONSE TO OA - XDocket	02-Jun-2002	Reminder	01-May-2002
RESPONSE TO OA - FINAL	02-Jul-2002	Final	01-May-2002
IDS W/ PTO-1449	15-Feb-2003	Due Date	

User ID: ES

Date Created: 19-Jun-2000

Last Update: 30-Dec-2002



